

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Method of Delivering Genes to the Central Nervous System of A Mammal** the specification of which:

() is attached hereto.

(xx) was filed on February 23, 1995 as Application Serial No. 08/393,066 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

| Country | Number | Date Filed | Priority Claimed | | | |
|---------|--------|------------|------------------|--|----|--|
| | | | Yes | | No | |
| | | | Yes | | No | |
| | | | Yes | | No | |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status (pending, patented) |
|------------------------|--------------|----------------------------|
| 07/676,894 | Mar 28, 1991 | abandoned |
| 08/020,177 | Feb 22, 1993 | abandoned |
| | | |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **Jane Massey Licata and Kathleen A. Tyrrell**, Registration Nos. **32,257 and 38,350**, respectively, of the firm of **Law Offices of Jane Massey Licata**, Woodland Falls Corporate Park, 210 Lake Drive East, Suite 201, Cherry Hill, New Jersey 08002, and

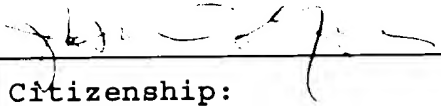
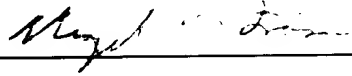
Address all telephone calls and correspondence to:

Jane Massey Licata, Esq.
 Law Offices of Jane Massey Licata
 Woodland Falls Corporate Park
 210 Lake Drive East
 Suite 201
 Cherry Hill, New Jersey 08002

Telephone No.: (609) 779-2400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|---|---|--|---------|
| 1 | Full Name: | Inventor's Signature: | Date: |
| | John H. Wolfe |  | 3/16/78 |
| | Residence: 197 Lynnebrook Lane Philadelphia, PA 19118 | Citizenship: USA | |
| | Post Office Address: Same as above. | | |
| 2 | Full Name: | Inventor's Signature: | Date: |
| | Nigel W. Fraser |  | 4/15/78 |
| | Residence: 511 South 46th Street Philadelphia, PA 19143 | Citizenship: UK | |
| | Post Office Address: Same as above. | | |
| 3 | Full Name: | Inventor's Signature: | Date: |
| | | | |
| | Residence: | Citizenship: | |
| | Post Office Address: Same as above. | | |
| 4 | Full Name: | Inventor's Signature: | Date: |
| | | | |
| | Residence: | Citizenship: | |
| | Post Office Address: Same as above. | | |
| 5 | Full Name: | Inventor's Signature: | Date: |
| | | | |
| | Residence: | Citizenship: | |
| | Post Office Address: Same as above. | | |

Attorney Docket No.: PENN-0065
Inventor or Patentee: Wolfe and Fraser
Serial or Patent No.: 08/393,066
Date Filed or Issued: February 23, 1995
Title: Method of Delivering Genes to the
Central Nervous System of A Mammal

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf
of the nonprofit organization identified below:

NAME OF ORGANIZATION The Wistar Institute
ADDRESS OF ORGANIZATION 3601 Spruce Street
Philadelphia, PA 19104

TYPE OF ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC
501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL ORGANIZATION
QUALIFIED UNDER A NONPROFIT ORGANIZATION STATUTE OF A
STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE
SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED
IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS A NONPROFIT SCIENTIFIC OR EDUCATIONAL
ORGANIZATION QUALIFIED UNDER A NONPROFIT ORGANIZATION
STATUTE OF A STATE OF THE UNITED STATES OF AMERICA IF
LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above
qualifies as a nonprofit organization as defined in 37 CFR 1.9(a)
for purposes of paying reduced fees under section 41(a) and (b)
of Title 35, United States Code with regard to the invention
entitled Method of Delivering Genes to the Central Nervous System
of A Mammal by inventor(s) Wolfe and Fraser described in

- ☐ the specification filed herewith.
☒ application serial no. 08/393,066, filed Feb. 23, 1995.

() patent no. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)**

FULL NAME:

ADDRESS:

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING
TITLE IN ORGANIZATION
ADDRESS OF PERSON SIGNING

Dr. Warren B. Cheston
Director of External Affairs
The Wistar Institute
3601 Spruce Street
Philadelphia, PA 19104

Warren B. Cheston
SIGNATURE

3/27/95
DATE

Attorney Docket No.: PENN-0065
Inventor or Patentee: Wolfe and Fraser
Serial or Patent No.: 08/393,066
Date Filed or Issued: February 23, 1995
Title: Method of Delivering Genes to the
Central Nervous System of a Mammal

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf
of the nonprofit organization identified below:

NAME OF ORGANIZATION The Trustees of the University of
Pennsylvania
ADDRESS OF ORGANIZATION 3700 Market Street, Suite 300
Philadelphia, Pennsylvania 19104

TYPE OF ORGANIZATION:

- ☒ (XX) UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ () TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC
501(a) and 501(c)(3))
- ☐ () NONPROFIT SCIENTIFIC OR EDUCATIONAL ORGANIZATION
QUALIFIED UNDER A NONPROFIT ORGANIZATION STATUTE OF A
STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ () WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE
SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED
IN THE UNITED STATES OF AMERICA
- ☐ () WOULD QUALIFY AS A NONPROFIT SCIENTIFIC OR EDUCATIONAL
ORGANIZATION QUALIFIED UNDER A NONPROFIT ORGANIZATION
STATUTE OF A STATE OF THE UNITED STATES OF AMERICA IF
LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above
qualifies as a nonprofit organization as defined in 37 CFR 1.9(e)
for purposes of paying reduced fees under section 41(a) and (b)
of Title 35, United States Code with regard to the invention
entitled **Method of Delivering Genes to the Central Nervous System
of a Mammal** by inventor(s) Wolfe and Fraser described in

- ☐ () the specification filed herewith.

(xx) application serial no. 08/393,066, filed February 23, 1995.

() patent no. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)**

FULL NAME:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**NAME OF PERSON SIGNING
TITLE IN ORGANIZATION**

ADDRESS OF PERSON SIGNING

Anthony Merritt
Executive Director
Center for Technology Transfer
3700 Market Street, Suite 300
Philadelphia, Pennsylvania 19104


SIGNATURE

March 17, 1995
DATE